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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/601,063 | 10/09/2003 | Herve Scelers | GP-302694 | 5517 |

7590 09/23/2004

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Detroit, MI 48265-3000

EXAMINER

DONNELLY, ARTHUR D

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

3663

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/601,063

Applicant(s)

SCELERS ET AL

Examiner

Arthur D Donnelly

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 6/16/04 have been fully considered but they are not persuasive. Ghoneim et al. (5,025,882) discloses reducing wheel torque in response to detected wheel slip based on vehicle acceleration or a wheel slip difference as stated in claim 1 and 15 (Column 3 lines 10-32).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Ghoneim et al. (5,025,882).
Ghoneim et al. discloses a method of controlling traction in a vehicle having at least one non-driven wheel speed sensor, the method comprising detecting at least one of actual vehicle acceleration and a wheel speed difference, comparing said at least one of a actual vehicle acceleration and said wheel speed difference to at least one of a predetermined vehicle acceleration and a predetermined wheel speed difference to detect vehicle wheel slip, and reducing wheel torque in response to said detected wheel slip (Column 1 lines 45-68 and Column 2 lines 25-41); wherein the comparing step

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further includes detecting a wheel speed acceleration and comparing the wheel speed acceleration to a predetermined wheel speed acceleration to detect wheel slip (Column 3 lines 10-15); further comprising comparing a non-driven wheel speed to a threshold non-driven wheel speed value and a trans throttle value to a threshold throttle value to obtain a comparison result and selecting a wheel slip detection method based on a comparison result (Column 3 lines 10-32); wherein the step of reducing wheel torque comprises accessing a table of torque reduction values based on input pulley speed and at least one of an acceleration error and a wheel speed difference (Column 6 lines 32-49); further comprising specifying a transmission speed ratio based on a current vehicle speed, and providing a line pressure in the transmission based on the specified speed ratio (Column 8 lines 45-59); further comprising determining a first torque reduction amount based on at least one of acceleration error and input pulley speed, determining a second torque reduction amount based on at least one of input pulley speed and speed difference between driven and non-driven wheels, and reducing wheel torque using a lesser of the reduction amounts (Column 8 lines 15-42).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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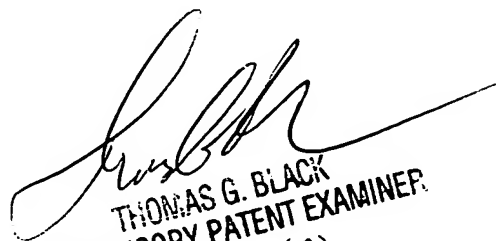
TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur Donnelly whose telephone number is (703) 305-0215. The examiner can normally be reached on Monday -Thursday on the first and third weeks of the month and from Monday - Friday on the second and forth weeks of the month from 8:00 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black, can be reached on (703) 305-9707. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

add
September 16, 2004


THOMAS G. BLACK
SUPERVISORY PATENT EXAMINER
GROUP 3603